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8 Attorneys for Defendant and Cross-Claimant
9 Moyer Products, Inc.
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAXIM I PROPERTIES, a general partnership,) Case No. **5: 12-CV-00449 LHK**
Plaintiff,)
vs.)
A.M. BUD KROHN, ET AL,) **STIPULATION AND PROPOSED ORDER**
Defendants.) **OF VOLUNTARY DISMISSAL WITHOUT**
AND RELATED CROSS-ACTIONS.) **PREJUDICE OF MC&L, INC., BURKE**
) **INDUSTRIES, INC. AND GREYHOUND**
) **LINES, INC.**
Action Filed: January 27, 2012
Trial Date: February 18, 2014

Cross-Defendant MC&L, Inc., formerly known as and sued herein as Madera Cleaners & Laundry, Inc., has filed a motion for dismissal under Federal Rule of Civil Procedure 12, and Cross-Defendants Burke Industries, Inc. and Greyhound Lines, Inc. have filed joinders to MC&L, Inc.'s motion for dismissal. Defendant and Cross-Claimant Moyer Products, Inc. has chosen not to litigate the issues raised by MC&L, Inc.'s motion.

THEREFORE, IT IS HEREBY STIPULATED THAT, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Defendant and Cross-Claimant Moyer Products, Inc.

STIPULATION AND PROPOSED ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF MC&L, INC., BURKE INDUSTRIES, INC., AND GREYHOUD LINES, INC. - Case No.: 5: 12-CV-00449 LHK

1 voluntarily dismisses all claims without prejudice brought in this action against Cross-
2 Defendants MC&L, Inc., formerly known as and sued herein as Madera Cleaners & Laundry,
3 Inc., Burke Industries, Inc. and Greyhound Lines, Inc. MC&L, Inc.'s pending motion, set for
4 hearing on January 31, 2013, is moot and shall be removed from the Court's calendar.
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6 DATED: October 19, 2012

GOLDSBERRY, FREEMAN & GUZMAN LLP

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8 By: /s/ Francis M. Goldsberry III

9 Francis M. Goldsberry III
10 Attorneys for Defendant and Cross-
11 Claimant
MOYER PRODUCTS, INC.

12 DATED: October 19, 2012

DOWLING AARON INCORPORATED

13

14 By: /s/ Daniel Oliver Jamison

15 DANIEL OLIVER JAMISON
16 Attorneys for Cross-Defendant
17 MC&L, Inc., formerly known and sued as
Madera Cleaners & Laundry, Inc.

18 DATED: October 19, 2012

CROWELL & MORING LLP

19

20 By: /s/ M. Kay Martin

21 M. KAY MARTIN
22 THOMAS F. KOEGEL
23 Attorneys for Cross-Defendant
Greyhound Lines, Inc.

24 DATED: October 19, 2012

DUANE MORRIS LLP

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26 By: /s/ Jess Raymond Booth

27 JESS RAYMOND BOOTH
28 Attorneys for Cross-Defendant
Burke Industries, Inc.

STIPULATION AND PROPOSED ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF MC&L, INC,
BURKE INDUSTRIES, INC., AND GREYHOUD LINES, INC. - Case No.: 5: 12-CV-00449 LHK

1 IT IS SO ORDERED:
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3 DATED: October 22, 2012

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5 By: Lucy H. Koh
6 Honorable Lucy H. Koh
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STIPULATION AND ~~PROPOSED~~ ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF MC&L, INC,
BURKE INDUSTRIES, INC., AND GREYHOUD LINES, INC. - Case No.: 5: 12-CV-00449 LHK